

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2006-327-WS - ORDER NO. 2007-41
JANUARY 24, 2007

IN RE: Petition of the Office of Regulatory Staff)	ORDER SUSPENDING
Regarding Wyboo Plantation Utilities, Inc.'s)	DEADLINES AND
Collection and Charging of Unauthorized and)	APPOINTING HEARING
Unapproved Rates.)	OFFICER

This matter comes before the Public Service Commission of South Carolina (Commission) on the South Carolina Office of Regulatory Staff's (ORS) request, filed January 9, 2007, to reschedule testimony dates and filing deadlines currently scheduled in the present docket and to appoint a hearing officer in this matter. The present proceeding was established upon a Petition filed by ORS October 20, 2006, against Wyboo Plantation Utilities, Inc. (Wyboo or the Company) alleging the charging and collection of unauthorized and unapproved rates for water and sewer service by Wyboo. On December 28, 2006, ORS supplemented its original Petition and filed with the Commission an Amended Petition against Wyboo.

ORS asserts in its request that rescheduled testimony dates and filing deadlines are being requested, due to the fact that, under the present schedule, the ORS direct testimony would be due before the date that Wyboo is required to answer ORS' Amended Petition.

As to ORS' request for appointment of a hearing officer, we find that a hearing officer should be appointed in this proceeding. This appointment is in order that the hearing officer may dispose of procedural and evidentiary matters pursuant to S.C. Code Ann. Section 58-3-40 (Supp. 2006).

Section 58-3-40(C)(1) states that upon the request of any party or any commissioner, the commission may employ a hearing officer who may hear and determine procedural motions or other matters not determinative of the merits of the proceedings. Under (C)(2), the hearing officer has full authority, subject to being overruled by the commission, to rule on questions concerning the conduct of the case and other matters. Under (C)(3), the officer must be an attorney qualified to practice in all courts of this State with a minimum of eight years' practice experience.

We find that Mr. Randall Dong meets this qualification, and we therefore grant the request and appoint him as hearing officer in this case. As hearing officer in this proceeding, we direct Mr. Dong to rule on appropriate matters in the case, including, but not limited to scheduling.

IT IS THEREFORE ORDERED THAT:

1. The request of the Office of Regulatory Staff for the Commission to reschedule testimony dates and filing deadlines is granted. Current testimony dates and filing deadlines are suspended, and the hearing officer is directed to schedule new testimony deadlines and to assist in scheduling a new hearing date.

2. Randall Dong is hereby appointed as hearing officer in the pending proceeding for disposition of procedural and evidentiary matters.

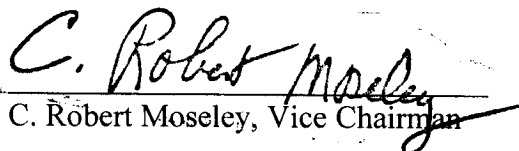
3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



C. Robert Moseley, Vice Chairman

(SEAL)